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SUBJECT: COTE D'IVOIRE: EXPERTS DOCUMENT SANCTIONS
VIOLATIONS

¶1. SUMMARY: The UN Group of Experts on Cote d'Ivoire, a UN team established to monitor sanctions imposed on that country, submitted a final report documenting impediments to full implementation of these measures, particularly the UN ban on the export of diamonds. While the Group found that the regime has been somewhat successful at curtailing the flow of arms, the Group identified several breaches of the arms embargo, including Forces nouvelles units' access to arms and related military materiel. The Group stressed that the sanctions regime has not seriously curtailed the illicit transit of diamonds or arms, largely due to inadequate customs/border controls or diamond-specific legislation in neighboring countries. The Group of Experts is scheduled to present the report to the UN Security Council's Cote d'Ivoire Sanctions Committee ("1572 Committee") on Wednesday, October 17. The report's findings will inform the Security Council's upcoming review of the Cote d'Ivoire sanctions regime in late October. END SUMMARY.

¶2. On September 15, the Group of Experts on Cote d'Ivoire -- a five-member UN team mandated to monitor and help improve implementation of sanctions imposed on that country -- submitted its final report documenting impediments to implementing these measures. The UN Security Council's Cote d'Ivoire Sanctions Committee ("1572 Committee") will now study this report and its findings. (NOTE: Cote d'Ivoire is currently subject to an arms embargo, asset freeze/travel ban on designated individuals and a ban on the export of all rough diamonds. END NOTE).

¶3. In its overview of the political and economic context, the Group reported that although the prospects of north-south conflict in Cote d'Ivoire have diminished, the north of the country is fractured into a series of politico-military commands, which compete for control over natural resources and commerce. The Group stressed the possibility that armed violence may escalate rapidly, particularly in the north, and that despite the arms embargo, northern and southern Ivorian parties are re-arming.

¶4. The Group found that the economic situation in the Forces nouvelles-controlled north resembles a warlord economy, as the ten zone commanders exert their military might to extract rents from the region in the form of taxes on commerce and services and revenues generated by the exploitation of natural resources. Due to mismanagement of the cocoa industry, the Forces nouvelles generates income from cocoa transported through the north of the country that is then used to fund arms purchases in violation of the arms embargo.

ARMS EMBARGO: CONTINUED BREACHES

15. The Group identified at least seven cases that involve a breach of the sanctions regime, including the import of large volumes of arms and ammunition. Zone commanders have acquired arms and related military materiel, including communications equipment, military uniforms and vehicles in breach of the sanctions regime. The Group assessed that certain parties in Burkina Faso are involved in the transfer of weapons and ammunition to Forces nouvelles units, and therefore encouraged the Government of Burkina Faso to investigate accordingly.

DIAMONDS: EXPORTS CONTINUE IN VIOLATION OF BAN

16. The Group found that the biggest challenge facing the UN ban on rough diamond exports from Cote d'Ivoire is the continuation of diamond mining within the country, a practice that was outlawed in other countries such as Liberia. Allowing continued diamond mining without a central authority capable of regulating the extraction of, and trade in, diamonds, leads to violations, the Group assessed. It reported that a huge part of the problem is the fact that the Country's diamond mines are located entirely within the Forces nouvelles-controlled north, and the ten zone commanders have total control over all diamond-mining activities.

17. The Group also found that, significantly, there is no viable customs authority in the north, nor is there adequate customs control over potential diamond exports in the south. Ivorian customs authorities have still yet to integrate the provisions of the sanctions regime into their legislation or

regulations. Despite the existence of the Kimberley Process (KP) most states have a lack of internal controls to detect the transfer of Ivorian rough diamonds to other countries.

18. Importantly, the Group concluded that the embargo on the export of Ivorian rough diamonds has neither prevented, nor significantly minimized, the risk of their entry into diamond markets. Burkina Faso and Mali are the only two non-KP states that share a border with Cote d'Ivoire, and the absence of effective border controls or diamond-specific legislation in each country causes the rough diamond trade to extend seamlessly between and among Cote d'Ivoire, Burkina Faso and Mali.

RECOMMENDATIONS

19. The Group put forth recommendations to improve sanctions implementation, including:

- (1) both the Government and the Forces nouvelles take action to allow the Group and UNOCI access to all sites, military installations, arms and related materiel, regardless of location;
- (2) States notify the Committee in advance of exports of security-related materiel that might arouse suspicion;
- (3) Burkina Faso conduct a full investigation into the transfer of arms and related materiel into the Forces nouvelles-controlled north;
- (4) the International Cocoa Organization (ICO) take measures to raise awareness among its member companies of the risks of purchasing smuggled Ivorian cocoa;
- (5) the Ivorian ministries take control of rough diamond mining sites and re-establish the administration, monitoring and regulation of all diamond mining activities;
- (6) Kimberley Process participants take measures to prevent the import of Ivorian rough diamonds and take action against those who allow transit of illegally exported diamonds;

-- (7) Member States such as Israel, Guinea, Lebanon, the UAE, and Liberia investigate their nationals' roles in the illegal export and transport of Ivorian rough diamonds and take steps to improve monitoring;

-- (8) UNOCI create a specific monitoring unit to strengthen monitoring of the embargo on arms and related materiel; and

-- (9) the Ivorian authorities integrate references to the UN embargo in Ivorian national legislation relating to customs restrictions and prohibitions.

NEXT STEPS: COMMITTEE, THEN COUNCIL REVIEW

¶10. The Group of Experts is scheduled present these findings to the Cote d'Ivoire Sanctions Committee on Wednesday, October 7. The Committee will respond to the recommendations and determine what, if any, action to take to implement them.

¶11. The Security Council is currently scheduled to review the entire Cote d'Ivoire sanctions regime in late October. A Council discussion on the regime is scheduled for October 26, followed by the adoption of a new Security Council resolution on October 29 to renew the measures for an additional twelve months.

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